THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 11727 of 2007

Dated 14th June 2007

Between:

M.Ravindranadh

... Petitioner

and

The Director (E.Seva), A.P. Online Service,
A.P.Information and Communication Dept,
B.R.K.Bhavan, Hyderabad & others

... Respondents

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O R D E R:

The petitioner is an operator of Rural Service Delivery Point (RSDP) at Amalapuram. One of the services entrusted to him was the collection of bills payable to A.P. Eastern Power Distribution Corporation Limited (for short "the Corporation"). The 1st respondent is an Online Service, which provides the software. The online service to the petitioner was disconnected by the 1st respondent, on a complaint sent by the 3rd respondent, to the effect that the petitioner is issuing manual receipts to the consumers, and without passing on the amount to the Corporation. The petitioner challenges the action of the respondents.

Heard the learned counsel for the petitioner, learned Government Pleader for GAD, and learned Standing Counsel for the Corporation.

The writ petition was adjourned on three earlier occasions, to enable the leaned counsel for the respondents to obtain instructions. On behalf of the 1st respondent, it is stated that the online service to the petitioner was disconnected, on a fax message received from the 3rd respondent. Learned Standing Counsel for the Corporation submits that his clients were compelled to get the online service to the petitioner disconnected, on account of the acts and omissions, resulting in hardship to the consumers and financial loss to the Corporation.

Whatever may have been the basis for the respondents, in proceeding against the petitioner, they were under obligation to issue a notice to him, before the online service was disconnected. Unverified and unnotified grounds or allegations, cannot constitute the basis for such a severe action.

Therefore, the writ petition is allowed, and the respondents are directed to restore online service to the petitioner, within one week. It is, however, made clear that it is open to the respondents, to issue notice to the petitioner and take necessary action, in accordance with law. It is also directed that, in case the petitioner misappropriates any amount collected by him, either temporarily or otherwise, it shall be competent for the respondents, to proceed against him, to recover the amount, as well as to institute criminal proceedings. There shall be no order as to costs.

14th June 2007

Note: Issue C.C .by tomorrow.
(B/o)
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